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May 13, 1999

Mr. Ralph Howard  
Mr. Reuben Bussey  
Mr. Myron Lair  
Mr. Franklin Hill  
U.S.E.P.A.-Region IV  
Atlanta Federal Center  
61 Forsyth St. SW  
Atlanta, GA 30303-3415

RE: Exide Corp. (Battery Plant)  
Greer, SC  
Adjacent Neighborhoods-Cleanup/Removal

Gentlemen:

We are currently representing persons who have resided in the neighborhood adjacent to the lead acid battery plant formerly operated by Exide Corporation in Greer, S. C. We are writing you to urge your assistance in requiring Exide to do a thorough removal and clean-up, both of Westgate Trailer Park and King Acres subdivision, both of which border the Exide plant. We also request that full enforcement, with all appropriate fines and penalties, be pursued.

In our present litigation we have reviewed tens of thousands of pages of documents obtained by subpoena, Requests to Produce, and FOIA requests. We have also deposed approximately 40 former plant managers, environmental managers, and employees. The history of the Greer Exide Plant shows a continuous pattern of violations, deficiencies, and non-compliance with environmental regulations and permit conditions throughout the 1980's until plant closure in 1996, and still continuing since closure.

For several years S.C.D.H.E.C. attempted, unsuccessfully, to get Exide to perform reasonable removal and clean-up, particularly of Westgate Trailer Park. The correspondence between Exide and D.H.E.C. indicates a continued pattern of resistance and denial. I understand that the matter is now in your hands.

As part of our litigation we employed lead experts such as Dr. Paul Mushak and Dr. John Dement, both of Duke University. They directed various testing of four houses in King Acres Subdivision, in



close proximity to the Exide plant. Part of the area testing appears to be within a former plume of surface water run-off from Exide, and the rest appears to be related to air dispersion. The actual sampling was performed by General Engineering. Soil samples at these houses revealed a number of samples in excess of 1,000 micrograms of lead per gram of soil, as high as 2690 micrograms of lead per gram of soil at one spot. Dust swipes were also taken from the attics of the houses, apparently undisturbed for several years, and revealed lead as high as 7330 micrograms per square foot. We believe that removal and clean-up are necessary in King Acres Subdivision as well as at Westgate Trailer Park (you should have data already showing dangerous lead levels at the Trailer Park).

Please also understand that children, including infants, continue to reside on these properties, both in Westgate Trailer Park and in King Acres. In King Acres, Exide has previously purchased several houses and a number of lots, and they continue to rent these properties to the public. In at least one house now owned by Exide, an infant less than a year old is residing. In the Trailer Park, there are numerous infants residing. We feel certain that you understand the risk of exposure. Therefore, we respectfully request that EPA diligently pursue removal, clean-up, and enforcement.

Additionally, we request that you check with NEIC to try to obtain a finalized report. This report has been pending for many months now, and will provide further support for what is already known.

Thank you for your consideration.

With best regards, I am,

Yours very truly,



GARY W. POLIAKOFF  
ATTORNEY AT LAW, P. A.

GWP:lr

c: Scott Wilson, SC DHEC  
Kenneth D. Brown, SC DHEC